	Case 2:06-cv-01169-RSL [Documen	t 6	Filed 09/28/06	Page 1 of 2	
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06	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE					
07						
08	JOE N. LOUIS,)	CAS	SE NO.: C06-116	9-RSL	
09	Petitioner,)				
10	v.)	ORDER DISMISSING § 2254 PETITION WITHOUT PREJUDICE	_		
11	RON VAN BOENING,))			
12	Respondent.)				
13		/				
14	Petitioner has submitted a petition for a writ of habeas corpus, pursuant to 28 U.S.C. §					
15	2254, along with an application for leave to proceed <i>in forma pauperis</i> . On August 29, 2006, the					
16	Court denied petitioner's leave to proceed <i>in forma pauperis</i> and gave petitioner 21 days, or until					
17	September 19, 2006, in which to pay the \$5.00 filing fee, or face dismissal of this action. (Dkt.					
18	#5). As of the date of today's Order, petitioner has not paid the fee. Accordingly, the court					
19	hereby ORDERS:					
20	(1) This action is DISMISSED without prejudice; and,					
21	111					
22	///					
	ORDER DISMISSING § 2254 PETITION WITHOUT PREJUDICE PAGE -1					

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01					
02	(2) The Clerk shall send a copy of this Order to petitioner and to the Honorable Mary				
03	Alice Theiler.				
04	DATED this 28 th day of September, 2006.				
05					
06	MWS Casnik				
07	Robert S. Lasnik United States District Judge				
08					
09	Recommended for Entry				
10	this 22nd day of September, 2006. s/ Mary Alice Theiler United States Magistrate Judge				
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	ORDER DISMISSING § 2254 PETITION WITHOUT PREJUDICE PAGE -2				